

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In re: Sharonn E. Thomas, Debtor. The Bank Of New York Mellon F/K/A the Bank Of New York As Trustee for First Horizon Alternative Mortgage Securities Trust 2006-FA2 Objecting Party v. Sharonn E. Thomas, Debtor and William C. Miller, Esq. , Trustee Respondents.	Bankruptcy 18-17430-elf Chapter 13 Related to Doc. No. 30
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OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

The Bank Of New York Mellon F/K/A the Bank Of New York As Trustee for First Horizon Alternative Mortgage Securities Trust 2006-FA2 ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE #30), and states as follows:

1. Debtor, Sharonn E Thomas ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on November 8, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 504 N 57th Street Philadelphia, PA 19131, by virtue of a Mortgage recorded on March 15, 2006 in Document ID 51399488 of the Public Records of Philadelphia County, PA. Said Mortgage secures a Note in the amount of \$44,200.00.
3. The Debtor filed a Chapter 13 Plan on December 10, 2018.
4. The Plan fails to include treatment of Secured Creditor's claim. The subject property and claim are, however, listed in Debtor's schedules. Secured Creditor objects to the Plan and seeks clarification as to Debtor's intentions in regard to the subject property and claim.

5. Furthermore, it is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$525.66, whereas the Plan fails to include such treatment. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$525.66 as the pre-petition arrearage over the life of the plan.
6. The Plan does not appear feasible due to inadequate treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 19, 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

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